

111TH CONGRESS
1ST SESSION

H. R. 4166

To amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to educational assistance for health professionals, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 1, 2009

Mr. RODRIGUEZ introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to educational assistance for health professionals, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Veterans Health Pro-
5 fessionals Educational Assistance Act of 2009”.

1 **SEC. 2. REAUTHORIZATION OF HEALTH PROFESSIONALS**
2 **EDUCATIONAL ASSISTANCE SCHOLARSHIP**
3 **PROGRAM.**

4 (a) IN GENERAL.—Section 7618 of title 38, United
5 States Code, is amended by striking “December 31, 1998”
6 and inserting “December 31, 2014”.

7 (b) EXPANSION OF ELIGIBILITY REQUIREMENTS.—
8 Section 7612(b)(2) is amended by striking “(under sec-
9 tion” and all that follows through “or vocational nurse.”
10 and inserting the following: “as an appointee under para-
11 graph (1) or (3) of section 7401 of this title.”.

12 (c) ADDITIONAL PROGRAM REQUIREMENTS.—Sub-
13 chapter II of chapter 76 of title 38, United States Code,
14 as amended by subsections (a) and (b), is further amend-
15 ed—

16 (1) by redesignating section 7618 as section
17 7619; and

18 (2) by inserting after section 7617 the following
19 new section:

20 **“§ 7618. Additional program requirements**

21 “(a) PROGRAM MODIFICATION.—Notwithstanding
22 any provision of the subchapter, the Secretary shall carry
23 out this subchapter by modifying the Scholarship Program
24 in such a manner that the program and hiring processes
25 are designed to fully employ scholarship program grad-
26 uates as soon as possible, if not immediately, upon gradua-

tion and completion of necessary certifications, and to actively assist and monitor graduates to ensure certifications are obtained in a minimal amount of time following graduation.

“(b) CLINICAL TOURS.—The Secretary shall require participants in the Scholarship Program to perform clinical tours in assignments or locations determined by the Secretary while the participants are enrolled in the course of education or training for which the scholarship is provided.

“(c) MENTORS.—The Secretary shall ensure that at the commencement of the period of obligated service of a participant in the Scholarship Program, the participant is assigned to a mentor who is employed in the same facility where the participant performs such service.”.

(d) CLERICAL AMENDMENTS.—The table of sections at the beginning of such chapter is amended by striking the item relating to section 7618 and inserting the following new items:

“7618. Additional program requirements.
“7619. Expiration of program.”.

SEC. 3. IMPROVEMENTS TO THE EDUCATION DEBT REDUCTION PROGRAM.

(a) INCLUSION OF EMPLOYEE RETENTION AS PURPOSE OF PROGRAM.—Section 7681(2) of title 38, United

1 States Code, is amended by inserting “and retention”
2 after “recruitment” the first time it appears.

3 (b) EXPANSION OF ELIGIBILITY.—Section 7682 of
4 such title is amended—

5 (1) in subsection (a)(1), by striking “a recently
6 appointed” and inserting “an”; and

7 (2) by striking subsection (c).

8 (c) INCREASE IN MAXIMUM ANNUAL AMOUNT OF
9 PAYMENTS.—Paragraph (1) of subsection (d) of section
10 7683 of such title is amended—

11 (1) by striking “\$44,000” and inserting
12 “\$60,000”; and

13 (2) by striking “\$10,000” and inserting
14 “\$12,000”.

15 (d) EXCEPTION TO LIMITATION ON AMOUNT FOR
16 CERTAIN POSITIONS.—Such subsection is further amend-
17 ed by adding at the end the following new paragraph:

18 “(3)(A) The Secretary may waive the limitations
19 under paragraphs (1) and (2) in the case of a participant
20 described in subparagraph (B). In the case of such a waiv-
21 er, the total amount of education debt repayments payable
22 to that participant is the total amount of the principal
23 and the interest on the participant’s loans referred to in
24 subsection (a).

1 “(B) A participant described in this subparagraph is
 2 a participant in the Scholarship Program who the Sec-
 3 retary determines serves in a position for which there is
 4 a shortage of qualified employee by reason of either the
 5 location or the requirements of the position.”.

6 **SEC. 4. LOAN REPAYMENT PROGRAM FOR CLINICAL RE-**
 7 **SEARCHERS FROM DISADVANTAGED BACK-**
 8 **GROUND.**

9 (a) IN GENERAL.—The Secretary of Veterans Affairs
 10 may, in consultation with the Secretary of Health and
 11 Human Services, utilize the authorities available in section
 12 487E of the Public Health Service Act (42 U.S.C. 288–
 13 5) for the repayment of the principal and interest of edu-
 14 cational loans of appropriately qualified health profes-
 15 sionals who are from disadvantaged backgrounds in order
 16 to secure clinical research by such professionals for the
 17 Veterans Health Administration.

18 (b) LIMITATIONS.—The exercise by the Secretary of
 19 Veterans Affairs of the authorities referred to in para-
 20 graph (1) shall be subject to the conditions and limitations
 21 specified in paragraphs (2) and (3) of section 487E(a) of
 22 the Public Health Service Act (42 U.S.C. 288–5(a)(2) and
 23 (3)).

24 (c) FUNDING.—Amounts for the repayment of prin-
 25 cipal and interest of educational loans under this sub-

1 section shall be derived from amounts available to the Sec-
2 retary of Veterans Affairs for the Veterans Health Admin-
3 istration for Medical Services.

4 **SEC. 5. INCLUSION OF DEPARTMENT OF VETERANS AF-**
5 **FAIRS FACILITIES IN LIST OF FACILITIES ELI-**
6 **GIBLE FOR ASSIGNMENT OF PARTICIPANTS**
7 **IN NATIONAL HEALTH SERVICE CORPS**
8 **SCHOLARSHIP PROGRAM.**

9 (a) INCLUSION OF FACILITIES.—The Secretary of
10 Veterans Affairs shall transfer up to \$20,000,000 from
11 accounts of the Veterans Health Administration to the
12 Secretary of Health and Human Services to be used to
13 include facilities of the Department of Veterans Affairs
14 on the list maintained by the Health Resources and Serv-
15 ices Administration of facilities eligible for assignment of
16 participants in the National Health Service Corps Scholar-
17 ship Program.

18 (b) IDENTIFICATION OF ELIGIBLE FACILITIES.—The
19 Secretary shall identify all medical centers and commu-
20 nity-based outpatient clinics of the Department that may
21 be eligible for assignment of participants in the National
22 Health Service Corps Scholarship Program. In making
23 such identifications, the Secretary shall use the eligibility
24 criteria used by the National Health Service Corps for the
25 health professional shortage area designation.

1 (c) APPLICATION.—To be included on the list main-
2 tained by the Health Resources and Services Administra-
3 tion of facilities eligible for assignment of participants in
4 the National Health Service Corps Scholarship Program,
5 each medical center or clinic identified by the Secretary
6 under subsection (b) shall submit an application to the
7 Health Resources and Services Administration.

